

2.4.1 C-N Neighborhood Commercial District

The following provisions shall apply in the C-N Neighborhood Commercial District unless otherwise provided in these regulations:

The Neighborhood Commercial District is intended as a specialized district for the location of convenience services near the neighborhoods they are intended to serve.

A. Permitted Uses:

- Accessory buildings or uses
- Agricultural uses
- Antique shops and interior decorating shops
- Assisted Living Residence
- Bakeries, retail sales on premises only
- Banks, credit unions, savings and loans and similar financial institutions
- Barber shops and beauty shops
- Bed and Breakfasts
- Bookstores and stationery stores
- Candy stores, retail sales on premises only
- Churches, parish halls and temples
- Colleges, schools and institutions of learning (except training schools)
- Community residences
- Computer programming services and software sales
- Convents and monasteries
- Country clubs
- Day care centers, day nurseries, nursery schools and kindergartens
- Drug stores or sundries stores
- Dwellings, Multiple family
- Dwellings, Single-family
- Dwellings, Two-family
- Family care home (mini-home)
- Florist shops
- Garage or yard sale
- Golf courses, except miniature courses, driving ranges, or privately owned golf courses operated for commercial purposes
- Grocery stores, where all merchandise is displayed and sold within an enclosed building
- Hardware stores
- Home occupations
- Jewelry store
- Laundrying and dry cleaning pick-up shops and self-service (only) laundries
- Libraries, museums, historical buildings and grounds, arboretums, aquariums, and art galleries
- Offices, professional or business
- Parks, playgrounds, and community centers
- Photographic portrait studios

Picture framing
 Residential care facilities
 Restaurants (without drive-in facilities) if an integral part of a center as defined in the Comprehensive Plan
 Saddle and harness shops
 Shoe repair shops
 Temporary buildings, the uses of which are incidental to construction operations being conducted on the same or adjoining lot or tract, and which shall be removed upon completion or abandonment of such construction, or upon the expiration of a period of two years from the time of erection of such temporary buildings, whichever is sooner

B. Conditional Uses:

Certain uses may be permitted in this district upon the granting of a Conditional Use Permit by the Board of Zoning Adjustment. Refer to **Chapter 4 Part 2** for a listing of uses and requirements that apply to specific uses.

C. Property Development Regulations

Refer to the applicable Form District regulations in **Chapter 5** for lot size, setback, building height and other restrictions.

D. Maximum Density And Far

1. Maximum Floor Area Ratio:0.5
2. Maximum Density:17.42 dwellings per acre

2.4.2 C-R Commercial Residential District

The C-R Commercial Residential District is primarily intended as a specialized district to promote the reuse of structures located in urban areas of Jefferson County that had been constructed for mixed commercial and residential use, which may be currently under used or vacant, and which are located at street corners or on blocks with a significant number of retail business uses. C-R zoning may also be appropriate for new construction where a mixture of business and residential use is found to conform with the Comprehensive Plan and with any neighborhood plan covering the site.

A Permitted Uses:

All uses permitted in the **R-7 Residential Multi-Family District**.

B. Special Permitted Uses

The following uses, subject to the special requirements set forth in Paragraph D. 1, below are permitted:

- Antique shops and interior decorating shops
- Bakeries, retail sales on premises only
- Barber shops and beauty shops
- Bed and Breakfasts
- Book stores and stationery stores
- Candy stores, retail sales on premises only
- Convenience grocery
- Day care centers, day nurseries, nursery schools and kindergartens
- Dressmaking
- Drug stores or sundries stores
- Day care centers, day nurseries, nursery schools and kindergartens
- Florist shops
- Laundrying and dry cleaning pick-up shops and self-service (only)
laundries
- Offices, professional or business
- Photocopying, word processing and similar office-support activities
- Photographic shops
- Photography studios
- Restaurants and delicatessens as allowed in the C-I zone excluding
drive-in facilities with a seating capacity not to exceed 20 persons
- Saddle and harness shops
- Shoe repair shops
- Tailors

C. Conditional Uses

Certain uses may be permitted in this district upon the granting of a Conditional Use Permit by the Board of Zoning Adjustment. Refer to **Chapter 4 Part 2** for a listing of uses and requirements that apply to specific uses.

D. Property Development Regulations

Refer to the applicable Form District regulations in **Chapter 5** for lot size, setback, building height and other restrictions.

E. Maximum Density And Far

Maximum Floor Area Ratio: 3.0

Maximum Density:34.8 dwellings per acre

2.4.3 C-1 Commercial District

The following provisions shall apply in the C-1 Commercial District unless otherwise provided in these regulations:

A. Permitted Uses:

Accessory buildings or uses: those uses which are subordinate, customary and incidental to the primary use, provided that, if a use is customary only in a less restrictive zone, and is of a magnitude that may generate significant impacts, it shall not be an accessory use

Agricultural uses

Antique shops

Athletic facilities

Audio/video recording studios, providing the building is sound proof

Automobile rental agencies with no more than 25 rental passenger vehicles stored on site, and no more than two service bays for cleaning or maintenance, and having no repair or storage/dispensing of fuel

Automobile parking areas, public and private

Automobile service stations with service bays for repair of no more than two vehicles (see definition of Automobile Service Station for the type of repairs permitted)

Bakeries, retail (all products produced to be sold on the premises only)

Banks, credit unions, savings and loans, check cashing services and similar financial institutions

Barber shops

Beauty shops

Bed and Breakfasts

Bicycle sales and service

Boarding and lodging houses

Bookstores

Bowling alleys, provided the building is sound proof

Car washes having prior approval by the agency responsible for traffic engineering

Catering kitchen/bakery preparing food and meals for sale or consumption elsewhere

Churches, parish halls, and temples

Clothing, dry goods and notions stores

Clubs, private, non-profit or proprietary

Colleges, schools and institutions of learning

Community residences

Computer sales (hardware and software) and programming services

Confectionery, ice cream or candy stores, retail; no more than 50% of the floor area shall be used for production of food items for off premises sale

Convenience groceries

Convents and monasteries

Country clubs

Dance Instruction (excludes adult entertainment uses as defined within LMCO Chapter 11)

Day care centers, day nurseries, nursery schools and kindergartens

Department stores

Dressmaking or millinery shops

Drug stores
 Dry cleaning, dyeing, pressing, and laundry; distributing stations or retail business where no cleaning, dyeing, pressing or laundry is done for other distributing stations or cleaning establishments
 Dwelling, Multiple family
 Dwelling, Single-family
 Dwelling, Two-family
 Electric appliance stores
 Establishments holding a retail malt beverage license, but that do not allow consumption on the premises.
 Establishments holding a distilled spirits and wine retail package license, but holding no other ABC licenses that allow consumption on the premises.
 Extended stay lodging
 Family care home (mini-home)
 Florist shops
 Funeral homes
 Furniture stores
 Garage or yard sale
 Golf courses, except miniature courses, driving ranges, or privately owned golf courses operated for commercial purposes
 Grocery stores, including fruit, meat, fish, and vegetable
 Hardware and paint stores
 Health spas
 Home occupations
 Hotels and motels, including ancillary restaurants and lounges, enclosed in a structure, in which dancing and other entertainment (not including adult entertainment activities as defined in Section 4.4.1) may be provided. (not permitted within the City of Prospect)
 Ice storage houses of not more than five (5) ton capacity
 Interior decorating shops
 Jewelry stores
 Laundries or laundrettes, self-service
 Laundering and dry cleaning pick-up shops and self-service laundries
 Libraries, museums, historical buildings and grounds, arboretums, aquariums, and art galleries
 Medical laboratories
 Music stores
 Nurseries, retail
 Office, business, professional and governmental
 Parks, playgrounds, and community centers
 Pawn Shop
 Pet grooming, obedience training and related pet activities, provided the operation is conducted within a soundproofed building, no animals are boarded, and there are no runs or pens outside of the building
 Pet shops
 Photocopying, duplicating, paper folding, mail processing and related services
 Photographic shops
 Photography studios
 Picture Framing
 Radio and television stores
 Rental businesses offering items whose sale is a permitted use in this district, videocassette and similar products, rental and sales but not constituting an adult video cassette rental center

Residential care facilities

Restaurants, tea rooms and cafes including:

- 1) Restaurants with drive-through windows having prior approval by the agency responsible for traffic engineering;
- 2) Restaurants, tea rooms and cafes where dancing and entertainment is excluded;
- 3) Restaurant with outdoor seating where entertainment is excluded and no alcoholic beverages are served or consumed outside which is adequately screened and buffered from adjacent residential development.

Shoe repair shops

Shoe stores

Stationery stores

Tailor

Tanning salons

Temporary buildings, the uses of which are incidental to construction operations being conducted on the same or adjoining lot or tract, and which shall be removed upon completion or abandonment of such construction, or upon the expiration of a period of two years from the time of erection of such temporary buildings, whichever is sooner

Tents, air structures and other temporary structures intended for occupancy by commercial activities including but not limited to sales, display, and food services, provided that applicable building and fire safety codes are met, and provided further that such structures may not be installed for a period (or periods totaling) more than ten (10) days during a calendar year.

Toy and hobby stores

Variety stores

Veterinary hospital, provided the operation is conducted within a sound-proofed building, no animals are boarded, and there are no runs or pens outside of the building

Wearing apparel shops

B. Conditional Uses:

Certain uses may be permitted in this district upon the granting of a Conditional Use Permit by the Board of Zoning Adjustment. Refer to **Chapter 4 Part 2** for a listing of uses and requirements that apply to specific uses.

C. Property Development Regulations

Refer to the applicable Form District regulations in **Chapter 5** for lot size, setback, building height and other restrictions.

D. Maximum Density And Far

1. Maximum Floor Area Ratio:1.0
2. Maximum Density:34.84 dwellings per acre

Use Mix - - Office and Residential Uses – When authorized by the form district regulations, a specified percentage of any development site may be allocated to residential development

without any corresponding decrease in the maximum allowable square footage or intensity of non-residential uses allowed in the underlying zone district, provided that all other development standards set forth in this code are complied with. In addition, when authorized by the form district regulations, office and residential uses situated above ground level retail uses are permitted and shall be excluded from calculation of the site's permissible floor area ratio. When specifically authorized by the form district regulations, calculation of permissible residential density shall be based on the net site area, regardless of the amount of non-residential floor area constructed on the site.

2.4.4 C-2 Commercial District

The following provisions shall apply in the C-2 Commercial District unless otherwise provided in these regulations.

A. Permitted Uses:

All uses permitted in the **C-1 Commercial District** are allowed in the C-2 Commercial District as well as the following uses:

- ABC-licensed establishments, holding a license that allows consumption of alcoholic beverages on the premises.
- Auction sales, items transported to site of auction
- Automobile rental agencies
- Automobile repair garages
- Automobile sales agencies
- Billiard parlors; game rooms and similar entertainment uses
- Bingo halls and parlors
- Boat Sales and related storage
- Bookbinding
- Building materials, storage and sales provided all operations are totally enclosed in a building
- Cleaning, pressing, and dyeing establishments using non-flammable and non-explosive cleaning fluid
- Contractor's shop, including but not limited to building, electrical, HVAC, landscape, and plumbing contractors, provided all operations are confined within a building
- Dance halls
- Engraving, watchmaking, and jewelry manufacturing, where products are sold on premises
- Equipment rental, where all activities are within a building
- Exposition building or center
- Flea market
- Fraternities, sororities, clubs and lodges excluding those where the chief activity of which is a service customarily carried on as a business.
- Furniture, storage
- Indoor paint ball ranges
- Monument sales
- Music and vocal instructions
- Plasma, blood collection centers, for profit
- Plumbing, and heating shops, storage and sales provided all operations are totally enclosed in a building
- Printing, lithographing, or publishing establishments, if constructed to insure that there is no noise or vibration evident outside the walls of the buildings
- Public transportation passenger terminals
- Public utility buildings and facilities
- Refrigerated lockers
- Restaurants, where food and drink may be served or consumed, where dancing or entertainment is allowed, outside as well as inside a building, including drive-in restaurants where all or part of the service or consumption is inside a vehicle

Retail or wholesale stores or businesses not involving any kind of manufacture, processing or treatment of products other than that which is clearly incidental to the business conducted on the premises, and provided that not more than fifty (50) percent of the floor area of the building is used in the manufacture, processing, or treatment of products, and that such operations or products are not objectionable due to noise, odor, dust, smoke, vibration, or other similar causes

Rubber stamp manufacturing, where products are sold on premises

Sign painting

Skating rinks (ice or roller)

Tattoo, body art, and piercing parlors

Telephone exchanges

Theaters, enclosed within a building

Tourist homes

Training School, provided all training activities are located within a building

Upholstery and furniture repair shops

Used car sales areas, provided that no repair or re-conditioning of automobiles or storage of parts shall be permitted except when enclosed in a building

Uses located totally within the caverns developed under a Conditional Use Permit for Underground Space shall be considered to meet the requirement of confinement within a building.

Those uses which are more similar in appearance and intensity to the above list of uses than to uses listed elsewhere in these regulations.

B. Conditional Uses:

Certain uses may be permitted in this district upon the granting of a Conditional Use Permit by the Board of Zoning Adjustment. Refer to **Chapter 4 Part 2** for a listing of uses and requirements that apply to specific uses.

C. Property Development Regulations

Refer to the applicable Form District regulations in **Chapter 5** for lot size, setback, building height and other restrictions.

D. Maximum Density And FAR

1. Maximum Floor Area Ratio:.....5.0

2. Maximum Density:
 - a. For 0 bedroom dwelling units only.....435 dwellings per acre
 - b. For 1 bedroom dwelling units only.....217 dwellings per acre
 - c. For 2 or more bedroom dwelling units only 145 dwellings per acre

Use Mix - - Office and Residential Uses – When authorized by the form district regulations, a specified percentage of any development site may be allocated to residential development without any corresponding decrease in the maximum allowable square footage or intensity of non-residential uses allowed in the underlying zone district, provided that all other development standards set forth in this code are complied with. In addition, when authorized by the form district regulations, office and residential uses situated above ground level retail uses are permitted and shall be excluded from calculation of the site's permissible floor area ratio. When specifically authorized by the form district regulations, calculation of permissible residential density shall be based on the net site area, regardless of the amount of non-residential floor area constructed on the site.

2.4.5 C-3 Commercial District

The C-3 Commercial zone is intended as a specialized district for the Central Business District (CBD). The C-3 Commercial Zone is a specialized district for the location of high density/intensity commercial and residential developments recognizing the CBD as the focal point of business, commercial area, and transportation facilities in Jefferson County, Kentucky.

A. Permitted Uses:

All uses permitted in the **OR-3** and **C-2 Commercial Districts** except single-family dwellings.

Accessory Uses and Structures: Those uses which are subordinate, customary and incidental to the primary use, provide that, if a use is customary only in a less restrictive zone, and is of a magnitude that may generate significant impacts, it shall not be an accessory use.

Sports Arenas
Telecommunications hotels

B. CONDITIONAL USES:

Certain uses may be permitted in this district upon the granting of a Conditional Use Permit by the Board of Zoning Adjustment. Refer to **Chapter 4 Part 2** for a listing of uses and requirements that apply to specific uses.

C. PROPERTY DEVELOPMENT REGULATIONS

Refer to the applicable Form District regulations in **Chapter 5** for lot size, setback, building height and other restrictions.

D. MAXIMUM DENSITY AND FAR

1. Maximum Floor Area Ratio: None
2. Maximum Density: 435 dwellings per acre

2.4.6 C-M Commercial Manufacturing District

The following provisions shall apply in the C-M Commercial Manufacturing District unless otherwise provided in these regulations:

A. Permitted Uses:

All uses permitted in the C-2 Commercial and M-1 Industrial Districts, except single family dwellings.

B. Conditional Uses:

Certain uses may be permitted in this district upon the granting of a Conditional Use Permit by the Board of Zoning Adjustment. Refer to Chapter 4 Part 2 for a listing of uses and requirements that apply to specific uses.

C. Property Development Regulations

Refer to the applicable Form District regulations in Chapter 5 for lot size, setback, building height and other restrictions.

D. Maximum Density And FAR

1. Maximum Floor Area Ratio: 5.0
2. Maximum Density: None
3. Use Mix: When authorized by the form district regulations, the amount of office and residential uses situated above ground level uses specified in the applicable part of Chapter 5 shall be excluded from calculation of the site's permissible floor area ratio. When specifically authorized by the form district regulations, calculation of permissible residential density shall be based on the net site area, regardless of the amount of non-residential floor area constructed on the site.